

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

**FILED**  
APR 10 2007

*[Signature]*  
CLERK

EMPLOYERS MUTUAL CASUALTY	)	Civ. 06-4239
COMPANY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	STIPULATION
	)	FOR DISMISSAL
SIOUX EQUIPMENT CORPORATION,	)	
a South Dakota corporation;	)	
STATE OF SOUTH DAKOTA	)	
PETROLEUM RELEASE COMPENSATION	)	
FUND; AMERON INTERNATIONAL	)	
CORPORATION, WILLISTON, INC.,	)	
and MID-CONTINENT CASUALTY	)	
COMPANY,	)	
Defendants.	)	

Thomas M. Frankman, and Davenport, Evans, Hurwitz & Smith,  
counsel for Defendant Ameron International Corporation,  
stipulates and agrees the Court may enter its Judgment of  
Dismissal, dismissing this action without prejudice of  
Plaintiff's right to initiate the case in Circuit Court, State of  
South Dakota.

The Judgment of Dismissal may also provide that no costs are  
awarded to any party and may be entered in the form attached  
hereto.

Dated this 3<sup>rd</sup> day of April, 2007.

DAVENPORT, EVANS, HURWITZ & SMITH

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